

## **Minutes of the November/December Commission Meeting**

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**November 30 – December 1, 2004**  
**Commission Offices, 1900 Capitol Avenue, Sacramento**

### **COMMISSION MEMBERS ATTENDING**

Lawrence H. Madkins, Jr., Teacher, Chair  
Elaine C. Johnson, Public Representative, Vice-Chair  
Catherine Banker, Public Representative  
Maytte Bustillos, Teacher  
Paul Clopton, Public Representative  
Guillermo Gomez, Teacher  
Steve Lilly, Faculty Member  
Leslie Littman, Designee, Office of the Superintendent of Public Instruction  
Aida Molina, School Administrator  
Os-Maun Rasul, Non-Administrative Services Credential Holder

### **COMMISSION MEMBERS ABSENT**

Kristen Beckner, Teacher

### **EX-OFFICIO REPRESENTATIVES**

Marilyn McGrath, California Postsecondary Education Commission  
Karen Symms Gallagher, Association of Independent California Colleges and Universities  
Athena Waite, University of California  
Bill Wilson, California State University

### **COMMISSION STAFF PRESENTING**

Sam Swofford, Executive Director  
Mary Armstrong, General Counsel, Director, Professional Practices Division  
Janet Vining, Staff Counsel, Professional Practices Division  
Kimberly Hunter, Staff Counsel, Professional Practices Division  
Lee Pope, Staff Counsel, Professional Practices Division  
Dale Janssen, Director, Certification, Assignment & Waivers Division  
Rhonda Brown, Program Analyst, Certification, Assignment & Waivers Division  
Leyne Milstein, Director, Information Technology & Support Management Division  
Linda Bond, Director, Office of Governmental Relations  
Elizabeth Graybill, Director, Professional Services Division  
Amy Jackson, Administrator, Professional Services Division  
Larry Birch, Administrator, Professional Services Division  
Teri Clark, Consultant, Professional Services Division  
Cheryl Hickey, Consultant, Professional Services Division  
Mike McKibbin, Consultant, Professional Services Division  
Diane Tanaka, Assistant Consultant, Professional Services Division  
Yvonne Novelli, Program Analyst, Professional Services Division  
Kathleen Beasley, Recording Secretary

*Tuesday, November 30, 2004*

**GENERAL SESSION**

The General Session was called to order by Chair Madkins. Roll was taken. Everyone joined in the Pledge of Allegiance.

**PROFESSIONAL PRACTICE COMMITTEE OF THE WHOLE**

**1A: Committee of Credentials: Expiration of Terms and Declaration of Vacancies**

Due to the large turnover in Committee of Credentials members, it was moved (Madkins), seconded (Rasul) and carried that the Commission temporarily suspend the term limits provision in Policy Manual section 504 and no vacancies be declared, that all four incumbents be reappointed, if a vacancy occurs in the interim, staff is directed to immediately initiate the recruitment process.

*Wednesday, December 1, 2004*

**GENERAL SESSION**

Chair Madkins conducted a swearing-in ceremony for the five new Members of the Commission: Ms. Catherine Banker, Ms. Maytte Bustillos, Mr. Paul Clopton, Mr. Guillermo Gomez, and Ms. Aida Molina.

**3A: Meeting Called to Order**

The General Session was called to order by Chair Madkins. Roll was taken. Everyone joined in the Pledge of Allegiance.

**3B: Approval of the September/October 2004 Minutes**

A motion to approve the September/October 2004 Commission minutes was made (Johnson), seconded (Rasul) and carried without dissent.

**Approval of the November/December 2004 Agenda**

A motion to approve the November/December 2004 agenda with inserts (pertaining to 3C, 4A, 5A, 6B, 8B and 8C) was made (Rasul), seconded (Littman) and carried without dissent.

**3C: Approval of the November/December 2004 Consent Calendar**

A motion to approve the November/December 2004 Consent Calendar was made (Rasul) and seconded (Gomez). Commissioner Banker asked about the report on the Paraprofessional program.

Beth Graybill, Director, Professional Services Division, explained that the report is an annual update of the program's progress and is required by the Legislature. The Paraprofessional program is designed to assist paraprofessionals such as classroom aides and parent educators to become qualified teachers. Marilyn Fairgood, Consultant, Professional Services Division, provided an overview of the report for the program, which began in 1994-95. Since that time, the program has had 943 graduates who have completed bachelor degrees and earned teaching credentials. More than 890 are still teaching within California. At this point, there are more than 1,000 participants in the program serving as emergency or intern teachers, with a total participation of 1,615. More than 640 are expected to earn a credential within the next two years.

Commissioner Rasul asked if the program has been effective in reducing the shortage of teachers in urban school districts. Ms. Fairgood said she did not have a breakdown on urban vs. rural. She noted that the original law focused on recruiting minorities into the classroom; the program is composed of 69 percent minorities.

State Board of Education Liaison Bloom asked about the support given to the people who are functioning as classroom teachers and about how the funds are used. Ms. Fairgood replied that they receive the same support that the district provides to its other interns and beginning teachers. She said the funds are used to defray the cost of tuition, books and other school expenses, up to a maximum of \$3,000 per participant.

Commissioner Molina asked how many will be affected by the emergency permit program coming to an end, and how consistency of training is ensured. Ms. Fairgood replied that 66 are on emergency permits for this school year. She said that program participants must complete their training through Commission-approved programs, just as other teacher candidates do.

The Commission approved the November/December 2004 consent calendar. There was no dissent.

### **Division of Professional Practices**

The Commission took action on the following items:

### **RECOMMENDATIONS OF THE COMMITTEE OF CREDENTIALS**

Education Code section 44244.1 allows the Commission to adopt the recommendation of the Committee of Credentials without further proceedings if the individual does not request an administrative hearing within a specified time.

1. **ABDUL, Kareem R.** Sacramento, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
2. **ANDERSON, Deanne N.** Tehachapi, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
3. **ANDERSON, Fred L.** Los Angeles, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
4. **ARCOS, Silvestre R.** Los Angeles, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

5. **BAKER, Julie A.** Santa Cruz, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
6. **BICKHAM, Jane W.** 11-30-39 221-22-9887 Claremont, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421.
7. **BLISS, Adolph L.** Folsom, CA  
Mr. Bliss is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
8. **BRAR, Anjuman** Northridge, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
9. **BRUNNER, William L.** Huntington Beach, CA  
Mr. Brunner is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
10. **BURRELL, Pamela L.** Inglewood, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of one hundred eighty (180) days** for misconduct pursuant to Education Code section 44421.
11. **CHAN, Hoi L.** San Francisco, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
12. **CHILDS, Lisa S.** Santa Rosa, CA  
Ms. Childs is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
13. **CREER, Marcelito M.** Tohatchi, NM  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of one hundred eighty (180) days** for misconduct pursuant to Education Code section 44421.
14. **CURTIS, Craig S.** Gridley, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
15. **DAME, Maria A.** San Diego, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

16. **DAWABI, Manhal** Upland, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
17. **DOUHAN, Tara R.** Bakersfield, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of twenty-one (21) days** for misconduct pursuant to Education Code section 44421.
18. **FANNON, Francis J.** Murrieta, CA  
Mr. Fannon is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
19. **FLORY, Jennifer B.** Chico, CA  
Ms. Flory is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
20. **GARDINA, Eileen J.** Covina, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
21. **GEE, Elizabeth A.** Napa, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
22. **GIMENEZ, Isabel E.** Santa Ana, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421.
23. **GIRTTLER, Andrea H.** Orinda, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
24. **GRAY, Steven M.** Victorville, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
25. **HARRIS, Glenn R.** Fort Jones, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of sixty (60) days** for misconduct pursuant to Education Code section 44421, effective immediately.

26. **HERREN, Charles, D.** Vallejo, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
27. **HILL, Taylor W.** Anaheim, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
28. **HINDS, Gerard A.** Hanford, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
29. **JIMENEZ, Ana B.** Merced, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
30. **KENNEDY, John W.** Santa Rosa, CA  
Mr. Kennedy is the subject of **public reproval** for misconduct pursuant to Education Code section 44421.
31. **KNUDSEN, Krista M.** Clifton, NY  
Ms. Knudsen is the subject of **public reproval** for misconduct pursuant to Education Code section 44421.
32. **LAMAR, Cornell D.** Sacramento, CA  
Mr. Lamar is the subject of **public reproval** for misconduct pursuant to Education Code section 44421.
33. **LEE-MORRIS, Patricia A.** Berkeley, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
34. **LOCKREM, Tim L.** San Pedro, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
35. **LOCKWOOD, Bonita L.** Long Beach, CA  
Ms. Lockwood is the subject of **public reproval** for misconduct pursuant to Education Code section 44421.
36. **MACINNES-CALLAHAN, Penelope T.** San Francisco, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of one hundred eighty (180) days** for misconduct pursuant to Education Code section 44421.

37. **MAHANEY, Michael W.** Glendale, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
38. **MARQUEZ, Theodore R.** Ontario, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
39. **MILLER, Eric T.** Los Angeles, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
40. **MONTES, Jose De Jesus, Jr.** South Gate, CA  
The expired Single Subject Teaching Permit is **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
41. **MUNOZ, Sandra C.** Newman, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
42. **NAMKUNG, Jason J.** Boron, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
43. **NEWKIRK, Richard T.** Fresno, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of one hundred eighty (180) days** for misconduct pursuant to Education Code section 44421.
44. **PALMER, Robert D.** Granada Hills, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of one hundred eighty (180) days** for misconduct pursuant to Education Code section 44421.
45. **PALMER, Rodney J.** San Jose, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of five (5) days** for misconduct pursuant to Education Code section 44421, effective immediately.
46. **PATTON, Doretha L.** Carson, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

47. **PEMBERTON, Douglas L.** Los Angeles, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of five (5) days** for misconduct pursuant to Education Code section 44421.
48. **PEREZ, Jose L.** Ceres, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
49. **POLLOCK, Steven P.** Santa Cruz, CA  
Mr. Pollock is the subject of **public reproof** for misconduct pursuant to Education Code section 44421, effective immediately.
50. **QUINN, Donald M.** Encinitas, CA  
Mr. Quinn is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
51. **RAMOS, Frances C.** Bermuda Dunes, CA  
Ms. Ramos is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
52. **RAUPP, Thomas R.** Chico, CA  
Mr. Raupp is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
53. **REDEWILL, Leslie T.** Palm Springs, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
54. **ROBINSON, Keith A.** Bonita, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
55. **ROMAN, Anthony J.** Buena Park, CA  
Mr. Roman is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
56. **RUIZ, Martin C.** Riverside, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
57. **SABRE, Eric Q.** Los Angeles, CA  
Mr. Sabre is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.



58. **SANCHEZ, Oscar** Fresno, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421, effective immediately.
59. **SELSOR, James E.** Sacramento, CA  
Mr. Selsor is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
60. **SLATER, Michael J.** El Cajon, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
61. **STRANSKY, George A.** Walnut, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.
62. **THORNE, Norita M.** Corona, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
63. **VAN-TASSEL, Abigail N.** North Hills, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
64. **VAN WAGNER, Thomas J.** Nevada City, CA  
Mr. Van Wagner is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
65. **WALLACE, Chrystie A.** Antioch, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
66. **WEINBLATT, Harris S.** Los Angeles, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
67. **WILKERSON, Elbert J., Jr.** Alta Loma, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

68. **WOLAVER, Jon A.** Anza, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421.
69. **YEAKEY, Jon M., II** Camarillo, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
70. **YOUNG, Augustus C.** San Antonio, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

### CONSENT DETERMINATIONS

71. **FOLSOM, Kathryn D.** Laguna Hills, CA  
The Proposed Consent Determination, which stipulates that Ms. Folsom's credential is **revoked**, however, the **revocation is stayed**, all certification documents are **suspended for a period of ninety (90) days**, pursuant to California Education Code section 44421, and at the end of the suspension she will be placed on **probation for a period of four (4) years**, is adopted.
72. **HOPPER, Victor M.** Bermuda Dunes, CA  
The Proposed Consent Determination, which stipulates that Mr. Hopper's Credential is **suspended for a period of thirty (30) days**, pursuant to Education Code section 44420, is adopted.
73. **HUBBARD, Lee C.** Daly City, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Hubbard's Certificate of Clearance is **granted** and **revoked**, however, the **revocation is stayed**, and he is placed on **probation for a period of five (5) years**, pursuant to California Education Code section 44421, is adopted.
74. **NAGY, Cliff A.** Apple Valley, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Nagy's credentials are **revoked**, however, the **revocation is stayed**, he is placed on **probation for a period of three (3) years**, he will reapply for a current credential and **upon the granting** of that credential, the credential will be **suspended for a period of ninety (90) days**, pursuant to California Education Code section 44421, is adopted.
75. **PLATT, Mark A.** Loma Linda, CA  
The Proposed Consent Determination, which stipulates that Mr. Platt's credential is **revoked**, however, the **revocation is stayed**, all certification documents are **suspended for a period of thirty (30) days**, and at the end of the suspension he will be placed on **probation for a period of four (4) years**, pursuant to California Education Code section 44421, is adopted.
76. **QUINONES, Irene** Whittier, CA  
The Proposed Consent Determination, which stipulates that Ms. Quinones's credential is **suspended for a period of fifteen (15) days**, pursuant to California Education Code section 44421, is adopted.

77. **ROJAS, Ruben A.** Murrietta, CA  
The Proposed Consent Determination, which stipulates that Mr. Rojas's credential is **suspended for a period of three hundred sixty-five (365) days**, however, the **suspension is stayed**, an actual **fifteen day (15) day suspension will be served**, and at the conclusion of the suspension, he will be **placed on probation for a period of three (3) years**, pursuant to California Education Code section 44421, is adopted.
78. **TUDEHOPE, Scott R.** Etiwanda, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Tudehope's expired Single Subject Teaching Credential is **suspended for a period of one (1) year, at the end of the suspension**, his application for a Single Subject Teaching Credential will be **granted and revoked**, however, the **revocation is stayed** and he will be **placed on probation for a period of four (4) years**, pursuant to California Education Code section 44421, is adopted.

**RECONSIDERATION CONSENTS**  
**(No new information)**

79. **KUMAR, Jatinder** San Jose, CA  
At its August 12, 2004 meeting, the Commission adopted the Administrative Law Judge's Proposed Decision and took action to **deny** Mr. Kumar's application for misconduct pursuant to Education Code section 44345. Mr. Kumar's attorney submitted a facsimile received on September 15, 2004, requesting reconsideration. No new information was provided.
80. **POWELL, Brett** San Diego, CA  
At its August 12, 2004 meeting, the Commission adopted the Administrative Law Judge's Proposed Decision and took action to **suspend** all certification documents under the jurisdiction of the California Commission on Teacher Credentialing **for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421. Mr. Powell's attorney submitted a letter dated September 15, 2004, requesting reconsideration. No new information was provided.

**PRIVATE ADMONITIONS**

Pursuant to Education Code section 44438, the Committee of Credentials recommends **two (2)** private admonitions for the Commission's approval.

**PROPOSED DECISIONS**

81. **BARSTOW, Susan L.** Costa Mesa, CA  
The Administrative Law Judge's Proposed Decision, which reflects the Committee of Credentials' recommendation to **deny** all pending applications, is adopted.
82. **JOHNSTON, John W.** Rancho Palos Verdes, CA  
The Administrative Law Judge's Proposed Decision, which reflects the Committee of Credentials' recommendation to **deny** all pending applications, is adopted.

### **REQUEST FOR REVOCATION**

The Commission may revoke credentials upon the written request of the credential holder pursuant to Education Code sections 44423 and 44440.

83. **BEEBOUT-ADAMS, Leslie A.**

Rohnert Park, CA

Upon her written request, pursuant to Education Code section 44423, her supplementary authorizations of Biology and Life Education on her Professional Clear Single Subject Teaching Credential are **revoked**.

### **MANDATORY ACTIONS**

All certification documents held by and applications filed by the following individuals are mandatorily revoked or denied pursuant to Education Code sections 44346, 44346.1, 44424, 44425 and 44425.5, which require the California Commission on Teacher Credentialing to mandatorily revoke the credentials held by individuals convicted of specified crimes and to mandatorily deny applications submitted by individuals convicted of specified crimes.

84. **BENSONIS, Heidi M.**

San Jose, CA

85. **BIEN, Curtis A.**

Chino, CA

86. **BROWN, Marcia L.**

South Lake Tahoe, CA

87. **BUSH, Kenneth P.**

Yorba Linda, CA

88. **CHILD, Jennifer M.**

Orange, CA

89. **DEVON, Heather H.**

Aliso Viejo, CA

90. **FETLER, Melinda C.**

Mountain View, CA

91. **INMAN, Ronald J.**

Ceres, CA

92. **KENNEDY, Richard R.**

Sacramento, CA

93. **LAY, Corey F.**

Downey, CA

94. **McLEAN, Mark B.**

Santa Rosa, CA

95. **MORRIS-SEELEY, Audrey Laverne**

San Gabriel, CA

96. **NOLAN, Richard F.**

Las Vegas, NV

97. **OGLESBY, Mark E.**

La Mirada, CA

98. **OKASINSKI, Theodore J.**

Culver City, CA

- |                       |              |
|-----------------------|--------------|
| 99. REEVES, Tom S.    | Berkeley, CA |
| 100. TOEWS, Renee K.  | Fresno, CA   |
| 101. TRIPP, Gregg A.  | Oak Park, CA |
| 102. TSWAGO, Masaline | Rialto, CA   |

### **AUTOMATIC SUSPENSIONS**

All certification documents held by the following individuals were automatically suspended because a complaint, information or indictment was filed in court alleging each individual committed an offense specified in Education Code section 44940. Their certification documents will remain automatically suspended until the Commission receives notice of entry of judgment pursuant to Education Code section 44940(d) and (e).

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|----------------------------|--------------------|
| 103. DUFFIN, James M.      | Torrance, CA       |
| 104. GARRISON, William K.  | Wasco, CA          |
| 105. GOLDEN, Cedric P.     | Citrus Heights, CA |
| 106. MARTINEZ, Fernando X. | Stockton, CA       |
| 107. SMITH, Brad R.        | Tulare, CA         |
| 108. STAUFFER, Kirk S.     | Winnetka, CA       |
| 109. TULLIS, J. Douglas    | Visalia, CA        |
| 110. VOLLSTEDT, Ross W.    | Stockton, CA       |

### **NO CONTEST SUSPENSIONS**

All credentials held by the following individuals were suspended, pursuant to Education Code section 44424 or 44425, because a plea of no contest was entered to an offense specified in the above sections of the Education Code. The credentials will remain suspended until final disposition by the Commission.

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|----------------------|-----------------|
| 111. LOZANO, Ayrobel | Porterville, CA |
| 112. REHE, Diane M.  | Santa Rosa, CA  |

### **TERMINATION OF AUTOMATIC SUSPENSION**

Pursuant to Education Code section 44940(d), the automatic suspension of all credentials held by the following individual is terminated and the matter referred to the Committee of Credentials for review.

113. **THOMAS, Christy L.**

Oakhurst, CA

#### **TERMINATIONS OF PROBATION**

114. **GLICK-SCROGGINS,**

**Beth Ann**

Alameda, CA

Having successfully complied with the terms and conditions of probation contained in the Consent Determination and Order, which was adopted by the Commission on March 6, 2003, **the stay order has been made permanent and her credential is restored.**

115. **HEFNER, Kimberly J.**

Lake Forest, CA

Having violated the conditions of probation set forth in the Consent Determination and Order adopted by the Commission on March 25, 2004, her **probation is terminated, the stay is lifted, and her credentials are revoked.**

116. **STONE, Donna M.**

San Dimas, CA

Having successfully complied with the terms and conditions of probation contained in the Consent Determination and Order, which was adopted by the Commission on June 6, 2002, **the stay order has been made permanent and her credential is restored.**

#### **Certification, Assignment & Waivers Division**

#### **DENIAL OF CREDENTIAL WAIVER REQUESTS**

1. Dinaflor Quiambao/Kern County
2. Patrick Kelloway/Kern County
3. Maria R. R. Araneta Lustrero/Ravenswood City Elementary School District
4. Brenda M. Utah/San Bernardino City Unified School District
5. Jay D. Strum/Lakeside Union Elementary School District
6. Stephanie Greenburg/Cabrillo Unified School District

#### **VALIDATION OF SERVICE RENDERED WITHOUT A CREDENTIAL**

The service rendered by the following persons is approved pursuant to the provisions of Education Code Section 45036.

Name	School District	County	Period of Service
Self, Timothy	Mc Swain School District	Merced	9.2.04 to 9.13.04
Wells, Craig	Temecula Valley Unified School District	Riverside	9.1.04 to 9.16.04

#### **Professional Services Division**

The Commission approved the following items:

- 1) Programs of subject matter preparation for Single Subject Teaching Credential:  
California State University, Dominguez Hills  
◆ English

- 2) Programs of subject matter preparation for the Multiple Subject Teaching Credential:  
California State University, Bakersfield
  - ◆ Liberal Studies
  - ◆ Child, Adolescent and Family Studies
- 3) The 2004 Report to the Legislature on the progress of the California School Paraprofessional Teacher Training Program.
- 4) Amendments to the no-cost contract with National Evaluation Systems, Inc. (NES) for administration of the Cross-cultural Language and Academic Development (CLAD) Examinations and development of the new California Teacher of English Learners (CTEL) Examination and program standards as follows:
  - a. Revise the originally proposed two-tiered structure for the CTEL to a single level examination and authorization based upon the recommendation of the English Learner Instruction Design Team that is helping to develop the CTEL. This single level will best serve the needs of students, teachers, and employers.
  - b. Add two more administrations of the CLAD Examinations 1-3 in 2005-06 to provide an opportunity for candidates to meet certification requirements if they have already passed one or two sections of the examinations and ensure equitable transition to the new CTEL Examination.
  - c. Revise the schedule for the first administration of the CTEL Examination to be fall of 2005.
  - d. Revise the methodology for a field review of draft program standards from a focus group review to a survey that will result in the participation of more educators.
- 5) The following Local Assistance Pre-intern Teacher Development Grants that Exceed One Hundred Thousand Dollars.

<u>Grant</u>	<u>Name of Program</u>	<u>Projected Enrollment</u>	<u>Estimated Grant</u>
<b>PRE-INTERN PROGRAMS</b>			
8	Alameda County Office of Education	58	\$116,000
11	LA County Office of Education	200	\$400,000
30	Los Angeles Unified School District	275	\$550,000
19	Orange County Office of Education	80	\$160,000
39	Riverside County Office of Education	208	\$416,000
1003	Ventura County Office of Education	80	\$160,000

### **3D: Chair's Report**

Chair Madkins introduced the five new Members of the Commission appointed by Governor Arnold Schwarzenegger: Catherine Banker, Maytte Bustillos, Paul Clopton, Guillermo Gomez and Aida Molina. He provided background on each.

**Catherine Banker**

Catherine Banker currently serves as the Business Development Manager for Vector Resources Inc., where she assists school districts and other local agencies in developing additional funding sources for infrastructure purposes. She also assists in technology planning and state grant writing. Previously, Ms. Banker was the owner of Strategic Technologies Partnership, and has served as a professional expert for Los Angeles County Office of Education; the Executive Director of CitrusNet; a consultant to Orange County Office of Education; and a consultant to Senator Bill Leonard.

Ms. Banker served in several appointed positions including California State Board Representative and Member of the Steering Committee to the Digital California Project, Chair of the Electronic Learning Resources Subject Matter Committee for the California State Curriculum and Supplemental Materials Commission, and Liaison to the California State Commission for Technology in Learning.

Ms. Banker holds a Master of Arts in Historical Archaeology and a Bachelor of Arts in Criminal Justice and Anthropology from California State University, San Bernardino.

**Maytte Bustillos**

Maytte Bustillos is currently a Spanish Language Arts Training Specialist at Sacramento City Unified School District. Previously, Ms. Bustillos has served as a teacher of the dual language program at Edward Kemble Elementary School, Spanish Immersion Program Consultant at Fremont Unified School District, and teacher of Spanish immersion at Azevada and Beamer Elementary Schools.

She has received numerous honors including a Title VII Grant and Cesar Chavez Memorial Scholarship Award for the School of Education at the California State University, Sacramento, Teacher of the Year from Edward Kemble Elementary School, and was nominated for Disney's American Teacher Award.

In addition, Ms. Bustillos has served as Co-Chair for the Spanish Immersion Teacher's Group of Fremont Unified and Co-Chair of the Multicultural/Multilingual Teacher Preparation Association for the California State University, Sacramento.

Ms. Bustillos holds a Masters in Educational Leadership, a Bachelor of Arts in Liberal Studies, and a California Multiple Subject Teaching Credential from California State University, Sacramento.

**Paul Clopton**

Paul Clopton is currently a Statistician at the Research Service Division in the Veterans Affairs Medical Center of San Diego, a post he has held since 1976. He is also an independent consultant to various states, districts, research institutions, policy makers, doctoral students, and scientists.

Mr. Clopton was the Vice Chair of the California Educational Technology Advisory Committee, and was a member of the California Mathematics Curriculum Framework and Criteria Committee and the Board of Trustees of Gateways Summer School. He has also given addresses



at numerous conferences and written numerous publications relating to the medical profession and mathematics.

He holds a Master of Science in Psychology from San Diego State University and a Bachelor of Arts in Psychology from the University of California at Los Angeles.

### **Guillermo Gomez**

Guillermo Gomez is currently an Elementary Content Expert in District Reading Programs for the Los Angeles Unified School District and an Elementary Literacy and Administrative Trainer for the Sacramento County Office of Education. In addition, he is the Vice Chair of the English Learner Advisory Committee for the California State Office of Education.

Previously, Mr. Gomez was an elementary teacher with the Bassett Unified School District, ELD Instructor for the California Youth Authority, and a bilingual elementary teacher at Little Lake School District.

### **Aida Molina**

Aida Molina is currently a Reading First coordinator for the Bakersfield City School District, where she administers a \$9 million grant supporting 15 principals, coaches, and 465 K-3 teachers in the area of reading and language arts. She also has extensive experience teaching bilingual education. Previously, Ms. Molina was a Principal for Jefferson and Oak Ridge Elementary, and an Assistant Principal for River Oaks Elementary School.

Ms. Molina serves on several committees including the State Board of Education English Learner Advisory Committee, District and Reading First Local Education Advisory Committee, Title III Planning, English Learner Frameworks, and Challenge Standards Language Arts. She is also a member of the Association of California School Administrators and the California Association of Bilingual Education. Throughout the country, Ms. Molina has given several presentations on Bilingual Education and Reading.

Ms. Molina holds a Master of Arts in Educational Administration and a Bachelor of Arts in Liberal Studies from California State University, Sacramento. In addition, Ms. Molina has an Administrative Services Credential and a California Multiple Subjects Teaching Credential.

Chair Madkins also noted that Commissioners Beckner, Vaca and Rasul will no longer be serving on the Commission. He thanked them for their valuable participation and contributions during their terms. He presented Commissioner Rasul, who was present for the meeting, with a plaque commemorating his service with the Commission.

Chair Madkins also announced the release of the 2003-2004 California Commission on Teacher Credentialing Annual Report which can be accessed on the Commission website.

### **Linda Bond Retirement**

Chair Madkins then asked those in attendance to join him in honoring Linda Bond, who is retiring as Director, Office of Governmental Relations. He spoke about her significant contributions during her years with the Commission and her dedication to the education of California's children throughout her career. Ms. Bond received a resolution from the Legislature, jointly sponsored by Senators Scott and Vasconcellos and Assembly member

Steinberg. Executive Director Swofford read laudatory letters from former Senator and California Secretary for Education, Gary Hart, and Senator Vasconcellos, who is also retiring this year. Others who spoke to congratulate and thank Ms. Bond included Sharon Robison with the Association of California School Administrators, Laurie Easterling and Isabelle Garcia with the California Teachers Association, and Bruce Kitchen, the liaison to the Commission from school personnel officers in San Bernardino and San Diego counties. Ex-Officio Representatives Waite and Wilson joined in the praise for Ms. Bond. Dr. Swofford said Ms. Bond has embraced all three of the Commission's ideals – honor, courage and commitment – and that the Commission will sorely miss her.

Ms. Bond thanked everyone, particularly those who have worked in the Office of Governmental Relations with her over the years. She noted that she has essentially only had two bosses in her career – Gary Hart and Dr. Swofford – and that both have always shown a passion for doing the right thing against considerable odds. She also said she was particularly pleased to have served the Commission during the chairmanships of Chair Madkins and former member Alan Bersin because of their keen eye for public policy and deep commitment to open debate. She wished the Commission continued success.

### **3E: Executive Director's Report**

On behalf of Commission staff, Dr. Swofford also welcomed the new members of the Commission and offered support as they learn about the Commission and its duties. He also offered gratitude for the contributions made by those Commissioners whose terms have ended.

He reported on the Bureau of State Audits report on the Commission, saying that staff is now reviewing the report and making responses to recommendations. He expects the report and responses to be on a future agenda for Commission discussion.

Dr. Swofford announced that the Credential Counselors and Analysts of California Conference in October was successful, drawing about 900 attendees. He acknowledged the strong leadership of Bonnie Crawford, CCAC President, and Tedi Kostka, CCAC Vice President in charge of programs.

He made several announcements about Commission staff. Stacey Frank in Human Resources raised \$5,175 in the Leukemia & Lymphoma Society's "Light the Night Walk," an amount that made her top individual fund raiser in Sacramento and eighth in the nation. Josie Hernandez of Human Resources is leaving the Commission to go to the California State Teachers' Retirement System. Vickie Sauer of the Division of Professional Practices is retiring, as is Craig Anderson, who is in the Enterprise Technology Services Section.

### **4A: Public Hearing – Proposed Amendments to California Code of Regulations, Title 5, Sections 80300, 80303, 80307, 80310 and 80412, Pertaining to the Committee of Credentials**

Chair Madkins opened the public hearing. Mary Armstrong, General Counsel and Director, Professional Practices Division, presented the item, noting that the amendments will comply with an appellate court decision, allow cost savings, and make technical and clarifying corrections to regulations.

Current regulations allow credential holders to obtain copies of the entire investigative file once a disciplinary action is under way. However, the court has ruled that this conflicts with the

privacy protections in the Information Practices Act. The proposed amendment brings the regulation into compliance with the court ruling.

The amendments also align with Commission-sponsored SB 299, which was recently enacted to clarify definitions and when disciplinary investigations can begin.

The amendments provide cost and workload savings by allowing notification of the formal review hearing by regular mail. This will save thousands of dollars a year in certified mail costs and end the practice of people refusing to accept the certified letter. The final recommendation of the Committee of Credentials will continue to be sent by certified mail. The amendments also allow the mailings to go to not only the address of record, but also the last known address. Other amendments were largely technical in nature.

The Commission received no opposition to the changes prior to the hearing. An in-folder item reflected some language changes that grew out of discussions with the CTA, including referencing specific Education Code sections and changing the words "subject to" to "subsequent to."

Vice Chair Johnson said she is concerned about recipients overlooking the notice if it is not delivered by certified mail. She said one way to cut costs is to not require a return receipt. Sending the letter certified mail allows tracking on line to make sure it is delivered.

Ms. Armstrong noted that mail is returned if it is not sent to the right address, thereby notifying the Commission that the letter had not been delivered. She also said that much of the Commission's notices and many other governmental organizations' mail are delivered by regular mail.

Designee Littman said it is important to note that the letter reporting on the Committee's action is sent by certified mail. At that point, a person could ask for reconsideration if they somehow had overlooked the prior notice. She said, however, that most people would not overlook a piece of mail sent by their credentialing body, particularly if they were in the middle of being investigated.

Kim Hunter, Staff Counsel, said that the initial letter of inquiry, seeking the teacher's side of the story, already goes in regular mail. The notice of the meeting is actually the second notice, and is only one part of a lengthy process.

Commissioner Banker said she agreed with Vice Chair Johnson, noting that everyone has had problems with mail at one time or another. She said being sure that someone is notified and having the signature to provide it is important.

State Board of Education Liaison Bloom asked if the first letter is sent out in a vacuum or if the teacher usually knows that an investigation is about to be undertaken. Ms. Hunter said the Committee takes jurisdiction in one of several ways, including following up on a district suspension or a rap sheet that indicates an arrest or conviction. For the most part, she said, teachers are already aware that they are involved in something that will be investigated. Ms. Bloom asked how many such letters are sent each year; Ms. Hunter replied between 700 and 1,000.

Commissioner Bustillos asked if the first letter could be modified to indicate that there would be further letters so that the person would be alerted to checking for mail. Ms. Armstrong said that she believes the letter already contains an explanation of the process, but that staff welcomed suggestions for revisions and would be glad to look at the letter.

Commissioner Lilly said he agreed with Ms. Bloom's point that it would be unusual for a teacher not to know that an investigation is imminent or going on and therefore overlook a letter from the Commission. He said he believed the proposed change provides an adequate process to protect the interests of the teachers, administrators and the Commission itself.

Commissioner Banker said she believes one of the first two letters should be sent by certified mail since anything that puts a teacher's credential in jeopardy is of utmost importance to that person.

Chair Madkins asked if anyone from the audience wished to speak to the agenda item. No one came forward.

Chair Madkins raised the point that simply because a letter is certified does not assure that the correct person will get it, unless there is a restriction on who can sign for it. He asked for a motion if there were no further comments from Commissioners.

Commissioner Rasul asked if typically a teacher would have already received notification from his or her district that their credential is in jeopardy. Ms. Hunter said such is usually the case.

Commissioner Banker moved that staff's recommendation be accepted regarding changes in the regulations, but with the modification that one notification be sent certified with a return-receipt requested. The motion died for lack of a second.

Commissioner Rasul moved that staff's recommendations for the amendments to Title 5 regulations as outlined in the agenda and in-folder materials be adopted. Commissioner Lilly seconded the motion. The motion carried with six aye votes; Vice Chair Johnson and Commissioners Clopton, Banker and Molina voted no.

#### **5A: Public Hearing – Proposed Amendment Or Repeal of Sections 80048.3, 80413.1, 80457 and 80523.1**

Chair Madkins opened the public hearing. Dale Janssen, Director, Certification, Assignment and Waivers Division, presented the agenda item, which included four technical items as part of a regulatory cleanup, aligning regulations with current statutes, that has been going on for the past year and a half. The items included:

Deleting language that defines the Preliminary Education Specialist Credential because statutes enacted in 1998 and 2000 have placed the definition in Education Code Section 44275.3.

Deleting language that is no longer relevant because of laws that clearly define the requirements for multiple and single subject credentials for teachers prepared outside of California.

Deleting the Western Association of Schools and Colleges as the necessary accreditation body for acceptance of college or university work for credentialing. This reflects changes in statutes.

Adding the Education Specialist Credential to a section because of statutes adding these credentials to the appeal process.

Commissioner Lilly asked if the Commission has the option of retaining WASC as a requirement even though they are not specifically named in the statute. Mr. Janssen said he did not believe that is an option since the law specifically eliminated WASC.

Chair Madkins asked for audience comment. There was none.

A motion to adopt staff's recommendation for the amendment to and deletion of regulatory language was made (Lilly), seconded (Littman) and carried without dissent.

### **CREDENTIALING AND CERTIFICATED ASSIGNMENTS COMMITTEE OF THE WHOLE**

Commissioner Lilly convened the Credentialing and Certificated Assignments Committee of the Whole.

#### **6A: Proposed Title 5 Regulations to Implement Assembly Bill 2210**

Commissioner Lilly reminded the Commission that when the proposed regulations were discussed at the prior meeting, the topics of implementing AB 2210 and defining what is meant by fifth-year program were separated; the discussion about fifth-year programs is on the agenda for the next meeting. He asked that comments be directed to the implementation of AB 2210.

Mr. Janssen explained that AB 2210, signed by the Governor in August, established induction as a requirement for all beginning teachers unless it is not available or a teacher is completing additional coursework to become highly qualified under No Child Left Behind, in which case completing a so-called fifth-year program would be allowed as a means of obtaining a clear credential. The discussion at the prior Commission meeting focused on the intent of the legislation and the definition of a beginning teacher.

By checking with the author (Assembly Member Liu), it was determined that the intent was to require induction in almost all cases. Staff also determined that there already is a definition in statute that defines who is a beginning teacher: someone in the first or second year of service. Therefore to be required to have induction, a person must have a preliminary credential plus be employed in the first or second year of service. Whether a person is eligible and whether a district has induction available, therefore, is up to the determination of the employer – as is the decision that a teacher needs further coursework to be NCLB compliant.

Mr. Janssen said once those points are clarified, then the questions raised by universities at the last meeting – about what happens to someone who is not employed but is facing a five-year clock for obtaining a clear credential – are answered. Basically, a person needs to complete induction through the employment process; unemployed people cannot earn a clear credential.

Dr. Swofford asked Mr. Janssen to explain the process of adopting new regulations for the benefit of the new Commissioners. Mr. Janssen said that the Commission typically reviews proposed changes as information items until there is some level of agreement to move forward. The item is then put on the agenda as an action item, at which point the Commission approves

the concept and votes to begin the public hearing process. Forty-five days later, the item can appear on the agenda as a public hearing, with the public having the opportunity to provide input. Once action is taken, the adopted regulations are sent to the Office of Administrative Law for a 30-day review and the Secretary of State for 30 days before taking effect. The current item is an information item on the agenda.

Commissioner Lilly asked for audience input. Those who spoke included:

**Beverly Young, Assistant Vice Chancellor, California State University System**, speaking on behalf of all three segments of higher education. She said she believes there are still issues to be addressed, including equity for all new teachers. She said she would like to see an opportunity for stakeholder input, in particular on issues like changing the name from fifth-year program so there is less confusion and possible guidelines for determining if induction is not available. She noted that the content of such programs is on the agenda for discussion at the next meeting.

**Judith Maxwell Grieg, Dean, Notre Dame de Namur University**, speaking on behalf of the private universities. She said the private universities support the position outlined by Ms. Young with regard to the confusion about the fifth-year name of the program. She said she is concerned that people who cannot find employment – particularly if there is ever a glut of teachers – need to have a way to clear their credential. She suggested that the Commission look at the certificate of eligibility in special education as a model so the five-year clock does not start ticking until the person is employed. She said she is also concerned about setting standards for any alternative programs, which should avoid becoming direct competitors with induction programs. Private universities want to ensure that students participate in induction if it is available and only use the alternative program as a fallback. She endorsed Ms. Young's call for stakeholder input.

Commissioner Lilly asked Ms. Grieg what her reaction would be to extending the preliminary credential if a teacher neared the five-year time limit without being able to find employment. Ms. Grieg replied that there might be many options for solving the issue and that it would need to be thought through.

**Bruce Kitchen, Representing school district personnel administrators in San Bernardino and San Diego Counties**. He said he supports the staff proposal and looks forward to the opportunity to participate in stakeholder input.

Ex-Officio Representative Wilson said that it appears it would be valuable to have a stakeholder meeting before the next Commission meeting. Mr. Janssen said it may be more valuable to have such a meeting after the Commission begins a discussion on issues like the name change and equity and other issues. In the meantime, the statute is clear about a "fifth year" being an option. He also said the idea of providing guidelines is a separate issue since guidelines would not be placed in regulations. Regarding a certificate-of-eligibility approach to extending the five-year limit, he said such a document might cause some confusion. Studies have shown that about 11 percent of teachers with preliminary credentials never become teachers. A more effective way to cope with the situation might be to review the matter in about five years when it would be more clear if there are just a few cases that need to be resolved or thousands of people about to lose their eligibility. The Commission could then take appropriate action. He concluded with the comment that there would be value in a stakeholder meeting but that he was not certain it would make a difference in the proposed regulations since the issues addressed are different.

Commissioner Lilly said that such a meeting might possibly increase people's comfort level with the proposed regulations.

Designee Littman asked if the process used for administrative credentials would be appropriate with regard to avoiding the time limit. Mr. Janssen said the certificate of eligibility actually stemmed from the administrative credential process because candidates did not always move into an administrative job immediately after getting their credential.

Ms. Littman also asked if people who enrolled directly upon completion of their preliminary credential in a fifth-year program before the law was passed are now in the position of losing the money they have invested in the program or is there a "grandfather clause" that allows them to complete the program instead of induction. Mr. Janssen replied that there is no grandfather clause in the induction law. In fact, the legislation was passed as an urgency measure and took effect immediately, meaning that there may be some individuals in that situation, but there is nothing the Commission can do about it.

Ex-Officio Representative Waite said that she thinks it is reasonable to wait until the five years have almost elapsed to see if there is a problem. She said a problem with the certificate of eligibility is that there is not a clear understanding that the person needs to move into the induction program. She also said that she would like to see discussion about standards for fifth-year and induction programs so that the two approaches are more equitable.

Ms. Graybill said that staff would welcome input from stakeholders before the discussion item for the next agenda is put together; while timing and the holidays may make it difficult, staff will make an effort to put together a meeting.

Commissioner Lilly said such a stakeholder meeting could focus on two things: creating guidelines that would make the two paths more equitable and providing a briefing on the discussion that is planned for the Commission meeting. He said he would like to see the discussion item precede the adoption of the regulations on the agenda for the next meeting just so everyone can have a full understanding of implications before the regulations are approved and the public hearing process is begun.

### **Phil Fitch Retirement**

The Committee of the Whole was then recessed to honor Dr. Phil Fitch, who is retiring from the Commission after decades of involvement – first in the 1970s and then beginning in 1987. He was Executive Director of the Commission from 1990 through 1995, when he opted to return to the role of consultant to the Commission. Dr. Swofford spoke at length about Dr. Fitch's accomplishments and impact on education before inviting Dr. Carol Bartell, a former ex-officio representative on the Commission and now Dean, CSU Los Angeles, to make comments. Dr. Bartell highlighted Dr. Fitch's key contributions over the years, including creating teacher induction, partnering with National Council for Accreditation of Teacher Education on accreditation reviews, developing the first set of program standards, and leading the effort on reciprocity with other states. She was followed by Robert Oakes, who spoke on behalf of the private universities, saying Dr. Fitch will long be remembered for his commitment to students, teachers and staff. Nancy Hinckle, a former student of his, spoke about Dr. Fitch's influence on her life and her desire to become a teacher. His wife also spoke briefly, describing her husband as a wonderful man who cares deeply about teacher education.

Dr. Fitch thanked everyone. He said the Commission has provided him with a “sense of place” throughout his career and that he believes he gained far more from the experience than he gave. He said the Commission has never been in a better position to do good things for the parents and children of the state, and he wished the new Commissioners much success as they settle into their new roles.

## **CREDENTIALING AND CERTIFICATED ASSIGNMENTS COMMITTEE OF THE WHOLE**

Commissioner Lilly then re-convened the Credentialing and Certificated Assignments Committee of the Whole.

### **6B: Proposed Title 5 Regulations for the Short-Term Staff Permit and the Provisional Internship Permit**

Mr. Janssen provided the following overview: In December 2003, the Commission took action to eliminate emergency permits as of July 1, 2006 but recognized that some type of document would be needed to replace emergency permits. During the past year, stakeholders, staff and the Commission have been working on developing such a document. A key question has been “what is an emergency?” After much discussion, the answer is that there are two types of emergencies: acute, where the need arises without notice, such as from an accident or illness; and anticipated, where a district knows it will need a teacher but despite a diligent search is not able to find one. From this distinction flows two different documents with two different set of expectations.

The short-term staff permit has the same candidate requirements as an emergency permit – a bachelor’s degree, passage of CBEST, and completion of subject matter criteria. The employer requirements include documenting the local recruitment effort, providing orientation and support for the teacher, and justifying what the emergency is. The permit is not renewable and is not to exceed one school year; it can only serve as a document for a candidate once in that person’s lifetime.

The second document is a provisional internship permit, a name that indicates it can be the entry point for the internship program. The concept is that within a year or two, the holder will have completed subject matter compliance and be ready to move into the internship program. The requirements from the candidate’s perspective are the same as the short-term permit and the current emergency permit. The employer, however, must provide specific information that documents a diligent search and the district needs to provide support to the person to obtain subject matter competency during the first year of employment. The permit can be renewed for a second year if the person takes but does not pass a subject matter competency exam. If the person does not pass the test by the end of the second year, they cannot move into the internship program and they cannot remain as the classroom teacher. The permit also has a public notice requirement, which involves the district board placing the matter on the agenda and voting to hire someone using this type of permit.

The draft regulations for the two types of permits are ready for Commission approval, a step that would begin the process of creating and conducting a public hearing.

Commissioner Lilly invited public comment. Those who spoke were:



**Sharon Robison, Association of California School Administrators.** She said ACSA supports the staff recommendation for approving the proposed regulations. She said she appreciates the extent to which the Commission has involved stakeholders and listened to their concerns. She said ACSA understands that the permits place an obligation on the employer to work cooperatively and collaboratively with the permit holder to move them to a full credential.

**Bruce Kitchen, Representing school personnel administrators for San Bernardino and San Diego Counties.** He said the 76 school districts in the two counties support the proposals for both permits. He said the report on the emergency permit reduction program in Oakland and San Diego – a later item on the agenda – demonstrates what can be done when districts tackle emergency permits. But there still remains a need for permits to address emergency situations. The new permits support a continuum of teacher preparation rather than simply “getting by” as the current permits do.

**Carolina Pavia, Los Angeles Unified School District.** She said she appreciated the extensive process the Commission went through to involve input from the field. She noted that Los Angeles had 5,090 emergency permits three years ago and in September 2004 had only 497. The district is committed to further reducing the number, but with shortages in math, science and special education there will always be a need for some type of emergency authorization. She said LAUSD supports the two authorizations recommended by staff.

**Kathryn Benson, Director of Human Resources for the Pajaro Valley Unified School Districts and speaking on behalf of the Tri-County Personnel Administrators.** She supported the two permits as recommended by staff and thanked the Commission for providing an avenue for stakeholder input. She said she believes the proposal meets the concerns expressed in these areas: the need for two different types of permits, the qualifications required for a teacher using the permits, and the need to keep the public informed about the status of teachers.

**Merrilee Johnson, Assistant Superintendent for Human Resources in the Glenn County Office of Education and speaking on behalf of PASSCO (Personnel Administrators in County Offices of Education).** She said she supports the staff recommendation, particularly since it avoids the rotation of substitute teachers every 30 days, instead providing for continuity of classroom teaching. She said it is particularly helpful for small, isolated, rural areas that have difficulty attracting qualified teachers.

Commissioner Clopton asked if a person could actually serve for three years by moving from one permit to another. Mr. Janssen said yes, that could occur. Commissioner Clopton also asked about the distinction between immediate and foreseeable needs. Mr. Janssen said the districts will have to submit justification for an immediate-need permit, but that the Commission does not have the manpower to investigate each claim.

Commissioner Clopton also asked about the coursework required for special education teachers, which he felt seemed minimal at 9 units. Mr. Janssen said it is the same as the requirement for the current emergency permit. Commissioner Lilly said the whole area of special education teachers will be addressed in the coming year because of the reauthorization of the federal special education law. Chair Madkins noted that, typically, they are teachers who already have

credentials but are moving into the special education field. Ms. Graybill said that the Commission will be updated on the reauthorization process in March.

Chair Madkins also expressed satisfaction that the field had done an excellent job of helping the Commission understand the needs and coming up with practical solutions that should work. He said it was a good example of collaboration.

Board of Education Liaison Bloom said she is concerned that she sees nothing that would limit the number of permits in a specific school district in any one year. She also said she sees a conflict with NCLB since it requires a qualified teacher in every classroom. Superintendent Designee Littman said that districts are required to meet NCLB mandates, but that not every classroom is covered by NCLB. She said she does not see a large number of permits being issued, since school districts are under a great deal of pressure to comply with NCLB. She said the progress that districts have already made when there are no sanctions in place are evidence that the reduction in the use of such permits will continue. Ms. Littman also noted that although a person could serve for three years on a combination of permits, it would be unlikely to happen within the same job.

Commissioner Banker said she shares some of the same concerns as Ms. Bloom. She said NCLB mandates highly qualified teachers and that the permits seem contradictory to that concept, particularly in the special education area identified by Commissioner Clopton. She suggested that there be a limit based on district population to avoid returning to a time when emergency permits were used routinely in the classroom.

Commissioner Rasul said that both urban and rural school districts really need a safety net for the times when a diligent search does not come up with a credentialed teacher. He said it is important to avoid the alternative, which is rotating substitutes every 30 days – which itself hardly meets the criteria of highly qualified. He said the two permits put people on track to becoming qualified teachers and provides the districts with accountability for seeing that the teachers make progress. He said the two permits are a success story that has been in the making for quite some time.

Designee Littman said it is important to remember that the jurisdiction for implementing and monitoring NCLB is with the State Board, not the Commission. The role of the Commission is to make sure the credentials comply with NCLB. But it is not the role of the Commission to monitor districts and determine whether they are compliant. The State Board could possibly say that a district could only have a certain percentage of short-term or provisional permits, but that is not up to the Commission.

Commissioner Gomez said he is concerned about ensuring a strong mentoring role so that “no teacher is left behind.” He said he sees that there is a mentoring provision but he’d like to make sure the districts understand the obligation and follow through with strong mentoring.

Commissioner Bustillos asked how the district is expected to meet the requirement of assisting the teacher in completing subject matter competency. Mr. Janssen said it is not further defined in the regulations but that it is expected that districts will work with universities in a process that somewhat mimics the pre-intern program, which provides extensive support to help the candidates become ready to take the subject matter competency test.

Commissioner Molina asked about the Commission's ability to monitor the quality of mentoring and support. Mr. Janssen said that the Commission's staff is too limited to perform monitoring. The Commission could require that a plan be submitted that could be checked, but actually going to the district to see what is happening would not be possible.

Designee Littman said in most cases a district will have an induction program already. They would be likely to include the person in that system of mentoring and support so that they don't have to re-invent a program.

Commissioner Lilly said that he was one of the people who originally made it clear that he wanted to see almost no emergency permits, period. However, in working with the stakeholders, it has become clear that something has to be created so that children do not show up and have to be sent home because there is no teacher.

Ex-Officio Representative Symms Gallagher said that it has taken some time for everyone on the Commission to fully understand all of the issues involved, so it will be very important to make sure both the intent and the requirements for the permits are fully and clearly explained to districts, teachers, IHEs and others.

Dr. Swofford said there are some real limitations to what the Commission can accomplish because of budget constraints. Things such as monitoring are out of the question. After a careful analysis and discussions with stakeholders, the two permits appear to be something that everyone can live with over time. He reiterated that complying with NCLB is the responsibility of the district and the Commission is only authorizing a credential. The Commission is trying to enable the districts to fill classrooms with the best qualified teachers they can find.

A motion to approve the staff recommendation was made (Madkins), seconded (Littman) and carried without dissent.

## **FISCAL POLICY AND PLANNING COMMITTEE OF THE WHOLE**

Vice Chair Johnson convened the Fiscal Policy and Planning Committee of the Whole.

### **7A. Update Regarding the Status of the Teacher Credentialing Service Improvement Project**

Leyne Milstein, Director, Information Technology and Support Management Division, provided the update, including background on the project. Phase One, which began in October 2001, allowed teachers and administrators to review the status of their application online. Phase Two, which began in June 2002, allowed credential holders to renew and pay for the renewal with a credit card online.

Phase Three began in July 2002 and is far more extensive, replacing and upgrading the Commission's entire system of hardware and software. At the time of the Commission meeting, staff was completing final testing, with launch expected in early January.

Vice Chair Johnson asked if there would have been any way to foresee the budget constraints that the Commission is now under. Ms. Milstein said no. The project's cost has not increased despite delays because it is a fixed price contract. However, the cost – originally covered by the

General Fund – was shifted to Commission resources when the State ran into budget difficulties. This has had an impact because it comes at a time of declining revenues for the Commission.

Commissioner Lilly said the Commission is already committed to the project so there is no turning back. Vice Chair Johnson said she hadn't meant to imply that the project should not move forward, but that she was merely underscoring the difficulty of paying for such a system when resources have been cut back. Dr. Swofford said the Commission had little choice because the system in place was antiquated and there was no longer going to be support for it.

This was an information item; no action was taken.

### **7B: Update on the Proposed 2005-06 Governor's Budget**

Ms. Milstein said at this point the Commission is almost halfway through the current 04-05 budget year and is very close to finishing the materials that will be submitted to the Department of Finance for the 05-06 budget proposal.

She explained that the Commission has two main sources of revenue: exam fees and teacher license fees. The biggest challenge that the Commission faces is that revenues from license fees have been decreasing and the Commission no longer has the revenue base to support the cost of its services. Staffing and available funds have been reduced to match the decline in revenue, but at this point the Commission is about 7 percent short in the current year – which means another loan will be required from the testing fund. The Commission operated with a \$2.9 million loan last year and will need \$900,000 this year. However, as revenues continue to decline and the test fund balance is no longer sufficient to provide loans, the problem will be how to fund Commission activities in the future. Unless there is support for an increase in the licensing fee, the Commission will continue to see a structural imbalance between the cost of service and revenues. The information has been provided to the Department of Finance.

Commissioner Lilly asked if the Commission has been advocating returning to the prior licensing fee or some amount above that. Ms. Milstein replied that the fee is \$55 now; it used to be \$60; she estimates that \$65 would now be required to cover expenses and build a prudent reserve.

Commissioner Lilly said he continues to be concerned about a passive strategy of merely providing the Department of Finance with information. He asked if Commissioners should be doing something as individuals to lobby for an increase.

Ms. Milstein said that staff has provide information to the Department of Finance and to the legislative committees that deal with the Commission's budget. The Commission has the authority in statute to set the fee no higher than \$70, but the budget act requires that it be set at \$55.

Dr. Swofford said the staff continues to try to cope with increased work and decreased resources. The Certification Division is required to meet the 75-day turnaround; the Professional Practices Division has 11,000 cases; 10 years ago, it had 2,100 cases. Technology has helped compensate for some of the increased workload, but the continued impact of budget cutbacks has been immense. The Commission has the ability to provide information and testimony about the status

of the budget and workload, but it is up to the Administration to decide how to approach the funding shortfall.

This was an information item; no action was taken.

## **PROFESSIONAL SERVICES COMMITTEE OF THE WHOLE**

Chair Madkins convened the Professional Services Committee of the Whole.

### **8A. Annual Report of the Committee on Accreditation, and an Update on the Accreditation Review**

Dr. Larry Birch, Administrator for the Professional Services Division, was joined by Edward Kujawa and David Madrigal, co-chairs of the Committee on Accreditation, to discuss the annual report on the Committee on Accreditation.

Mr. Kujawa said he was pleased to be able to present the report. He said it has been a privilege to work with institutional review teams – faculty and K-12 representatives who go out to campuses and actually do the reviews – as well as Commission staff. Mr. Madrigal noted that the report also gives the Committee an opportunity to look at its own effectiveness; in the past few months, a major activity has been working closely with stakeholders to review the entire accreditation process. The Committee hopes to bring forth recommendations to the Commission in May. Mr. Kujawa noted that the work has been slowed by budget cutbacks that have reduced the number of times that members can get together.

A motion to accept the report was made (Lilly), seconded (Johnson) and carried without dissent.

Teri Clark and Cheryl Hickey, Consultants with the Professional Services Division, then presented an update on the accreditation review process. Ms. Clark said they are about halfway through the process, with the working group having met five times since the process started last June. They are planning on finishing discussions in March so that recommendations can be forwarded to the full Committee on Accreditation and then be brought to the Commission by June. Stakeholder feedback will follow, with an action item on the Commission's agenda no later than August.

Ms. Clark said that there are a variety of issues under discussion, but that the agenda materials highlight seven. She said there will be an options matrix provided at a future meeting that will cover more topics. One thing under consideration is some method of having interim activities, rather than simply having an accreditation visit then no activity for 5-7 years. Chair Madkins said he thought an interim activity would be good but that cost implications must be explored. Ms. Clark said the working group is looking at technology as a way to keep costs down.

Ms. Hickey said that page 6 of the agenda item shares some preliminary thinking about the transition process. Because institutions need time to prepare for any new process, there has to be a plan that will provide reasonable timelines and be fair to the institutions. The working group is looking at alternatives but has made no recommendations at this point.

Mr. Kujawa noted that the group is looking at not only interim reports but also ways to use historical information so that each accreditation process does not occur in a vacuum. Information from prior visits would become part of the review.

Chair Madkins said he supports making sure there is an adequate transition period. The Commission has worked hard to make sure stakeholders' concerns are being heard, so it is important to continue to look at issues such as a fair transition period.

Commissioner Lilly said he is a strong supporter of the Committee on Accreditation, but that he understands that a revised system is needed. He said the COA and its work is an area that is not well understood by Commissioners so it will be important to have the Commission become more aware of the work and its importance. He also strongly supported the concept of some type of interim reporting process, but that the Commission should be cautious not to make it a process that would be work intensive and a burden for schools.

Ex-Officio Representative Waite agreed, saying there are extensive reporting requirements already. It now takes about two years to get ready for a review because of all of the documentation that must be prepared. Any interim reports should be designed to avoid creating more work. Ms. Hickey said the working group is spending a lot of time talking about what are key data elements that could be collected.

Chair Madkins thanked the group for their hard work and continued efforts. This was an information item so no action was taken.

#### **8B: Final Report on the Federal Transition to Teaching Grant**

Dr. Michael McKibbin, Consultant, Professional Services Division presented this item, which is the final report on a \$1 million federal grant that was used to see how close two urban districts could get to eliminating emergency credentials. The pilot project involved Oakland and San Diego school districts. After three years of work, there are only three emergency permit teachers in Oakland and 12 in San Diego.

Dr. McKibbin said the project demonstrated that there are three areas where there needs to be strong effort by the school district for reduction to work: districts need to collect data about the permits (the classes people need to take, where they are enrolled, etc.); they need to talk to the people holding the permits; and they need to partner with universities and other external resources to help people through the system.

He noted that some people left employment rather than complete the credentialing process once it was made clear to them that they had to be making progress toward a credential if they were going to remain employed by the district. Ex-Officio Representative Waite asked if those people had ever intended to be teachers. Dr. McKibbin said they appeared to fall into three basic groups: one group was comprised of individuals who were generally young, just out of college and viewed teaching as a transition job before graduate school; a second group were those who viewed the job as some sort of entitlement and only took courses that were convenient rather than ones that advanced them toward a credential; and the third group were people who began to make progress once the district worked beside them to get them through the system. Because the attitude of the districts changed, the attitudes of this group seemed to change as well.

Commissioner Banker said it sounded like a wonderful project that deserved congratulations.

A motion to accept the report was made (Lilly), seconded (Johnson) and carried without dissent.

**8C: Progress Report on the Early Completion Internship Option and Teaching Foundations Examinations (TFE), including Recommended Passing Standards for the TFE in Multiple Subjects, English and Mathematics**

Amy Jackson, Administrator, Professional Services Division, and Yvonne Novelli, Program Analyst, Professional Services Division, joined Dr. McKibbin to present this item.

Dr. McKibbin explained that SB 57 (Scott) provided an expedited route for becoming a teacher through an internship by providing a testing option called the Teaching Foundations Examination. Candidates pursuing the expedited internship route would still have to have a bachelor's degree, be subject-matter competent, pass CBEST and pass other tests that are required. Under the expedited route, once a person passes the TFE exam, they go into the internship program and then must pass a teaching performance assessment. If they are able to demonstrate an ability to teach in their internship program, then they are granted a preliminary credential.

In order to provide the testing option, the Commission needs to set a passing rate for the exam. Ms. Novelli explained that the test is four hours long and covers education foundations and methodology. The exams have been available since 2002, but there have never been enough candidates to do the standard setting process that would result in a passing standard.

To create interest, the Commission worked with ETS to provide the test at a steeply discounted exam fee in August and finally enough candidates took the exam to begin the standard setting process. That process included bringing together experts from the field to assess the examination and recommend a passing rate. They reviewed the exam and took it themselves. In addition, they provided opinions on the job relevance for each of the questions. The recommended passing scores resulting from the process were: 155 in multiple subjects, 173 in English and 153 in math.

Vice Chair Johnson asked for clarification of the context for the numbers. Ms. Jackson said there were 50 multiple choice questions and two constructed response questions, with a total score of 200. Vice Chair Johnson said it appeared that a passing score could be as low as 78 percent, while those who took classes would be expected to maintain a B average.

Ms. Jackson said that comparing graded courses to exams is difficult because for coursework, each professor gets to set grades and every institution gets to create standards. Exams involve a set number of points that have been agreed upon as a standard at which the knowledge demonstrated is a comfortable level for being competent.

Vice Chair Johnson said she was trying to assure that there was not a lower standard for people taking the expedited route than for those passing coursework. She said she was sure that someone who took the coursework would do well on the exam. She does not want to see someone who is being given credit for other kinds of experience being held to a different, lower standard than someone who goes through coursework.

Ms. Jackson said that if the passing rate were set at 155, only 61 percent of those who took the course in August would pass. She says there is no information about whether people who pass at

that rate will make good teachers; that will come in the future when the Commission collects data and revalidates the exam in the future.

Vice Chair Johnson asked how many people are expected to take the exam. Ms. Jackson said it took two years and a reduced rate to stimulate any interest in the exam, so the numbers are expected to be small. The exam option is designed for people who already have pedagogical experience and want an expedited route. So far, there has been very little interest in it.

Dr. Swofford said that such standard rating processes follow strict protocols so that they are legally defensible in the event that the Commission is sued over the test or passing rate – as it has been in the past. The Commission needs to set a score that is defensible if challenged, which means using a documented process and being able to justify the approved score.

Commissioner Lilly said he does not understand why a panel of teachers were asked to take the exam and establish a score rather than having people who just completed the coursework take the exam to demonstrate a level of achievement that would be comparable, whether someone enrolled in coursework or just took the exam. He said possibly the Commission could set the passing rate for those who took the exam in August but then explore other options for future passing rates.

Designee Littman said she noted that in the review of how the questions are relevant to necessary job skills, the math questions were rated at 76 percent – which means that fully a quarter of them do not relate to skills that are needed on the job. Ms. Jackson acknowledged that the panel thought that some items would not be appropriate for beginning teacher knowledge. However, the law requires that the test measure certain areas of knowledge, so there is some tension between what the panel felt was needed and what the law requires. She conceded that 76 percent is close to the threshold for not being viable for an exam; if it had been below 70 percent, the test would have to be redesigned. She cautioned, however, that since it was a very small group taking the exam, and a small panel judging it, the Commission would expect to watch the exam closely and work on improving the validity of the exam over time.

Chair Madkins invited public comment. Among those who spoke were:

**Mary Sandy, CSU Chancellor's Office.** She said CSU is concerned about the low level of the passing standard. In academic terms, the suggested passing rates are equivalent to a low grading scale and a low level of performance, which candidates doing course work would have to receive a grade of B or higher. She recommended a higher passing standard to make the exam option more rigorous and equivalent to the standard coursework option.

**Judith Maxwell Grieg, Notre Dame de Namur University.** She supported Ms. Sandy's comments, adding that the recommended scores appear to be a very soft passing standard.

Ex-Officio Representative Waite said she agreed with Commissioner Lilly suggestion that students who have completed the coursework should take the exam; this would suggest a passing score for what beginning teachers should know. She also asked why the names and backgrounds of the panel were not in the report. Ms. Jackson said the demographics about the panel, but not the names, were in the appendices.



Commissioner Lilly moved to adopt the passing standards as interim standards to apply only to those who already took the exam, to revisit the validation process and to look for ways to provide comparability with those who have taken coursework. He said the only reason he is willing to set the rates on an interim basis is that people paid and took the exam some time ago and have been waiting for the results. Vice Chair Johnson seconded the motion.

Commissioner Banker said she is concerned about passing such a motion because of the question of legal defensibility if one group is allowed to pass with one rate while other rates are set for later groups. She said she thinks the passing rate needs to be re-examined since as it stands now someone could miss all of the multiple choice questions and still pass.

Vice Chair Johnson said she agreed with Commissioner Lilly that people who took the test in good faith deserve an answer about whether they passed or failed. Commissioner Gomez said he also believes they deserve an answer as quickly as possible.

Dr. McKibbin said that the Commission should be aware that if the motion were to pass as stated, there would be no answer to give about the passing rate to people scheduled to take the test in January, March and June. Commissioner Lilly said they might have to be told it would be next fall before a passing rate was established.

Dr. McKibbin said about 415 people took the exam in August when the test was offered for \$25; it remains to be seen how many will sign up in the future when the exam fee is \$155. Once the passing rate is set, the test can be given no matter how few people sign up. Before the rate is set, it was required to have at least 50 people to have a large enough group for the rate setting process.

Vice Chair Johnson said it might not be a viable idea. Superintendent Designee Littman said the Commission is stuck with the program because the statute mandates a test. With people being laid off in math and science fields, there was interest in people coming into classrooms on the fast track. She said the Commission cannot *not* offer the test because it has been mandated by law. What the test looks like and what the passing score is are entirely different issues.

Commissioner Lilly said the Commission should set a passing standard that ensures that people have adequate knowledge of the methodology of teaching. He said you would expect graduates of coursework to score near 200. He said he believes it is appropriate to scale people who take the test against people who complete coursework.

Commissioner Banker said it was obvious that there are problems with approving the staff recommendation. She suggested putting off action and sending a letter to the legislator to look for a legislative solution. This alternative route seems to defeat the purpose of having teachers with pedagogical experience in the classroom.

Commissioner Lilly withdrew his motion with the concurrence of Vice Chair Johnson, who had provided the second. Commissioner Lilly then moved that the recommendation of staff be rejected; the motion was seconded by Commissioner Clopton.

Commissioner Rasul said he was unclear of the impact on those who already took the test and who were relying on the possibility of passing. Superintendent Designee Littman said they will have to take the normal route instead, although they may be out the \$25 that they paid.

Commissioner Banker called for the question. Chair Madkins took the vote. The motion carried, with Chair Madkins and Vice Chair Johnson voting no and Commissioner Rasul abstaining.

Chair Madkins said there seemed to be some consensus that the scores were too low and that passing coursework required B-level achievement. He suggested that the scores be set accordingly. Ms. Jackson said that such a move would be difficult to defend legally; validity has to be achieved through a process, not the Commission simply picking a random score. It would have to be substantiated by something. Chair Madkins said that his point is that the score should be equivalent to something that the Commission knows. He directed staff to continue working on this issue.

**8D: Recommended Initial Passing Standards for the California Subject Examinations for Teachers (CSET): Art, Languages Other Than English in French and Spanish, Music, Physical Education and Preliminary Educational Technology**

Miss Jackson and Diane Tanaka, Assistant Consultant, Professional Services Division, presented this item. The same standard-setting process was used for these subjects as for all prior CSET exams. The recommended passing standards are based on professional expertise. Examinee data was used as further information, but passing standards were not based on their performance.

Staff recommended the adoption of the standards described in Table 12 on page 13 of the agenda material.

A motion to approve the passing rate standards for the specific CSET exams was made (Littman), seconded (Johnson) and carried without dissent.

**GENERAL SESSION**

**3F: Report of Closed Session**

Chair Madkins reported that the Commission denied the following Petitions for Reinstatement:

1. Richard Hughes
2. David Conrad

The Commission reconsidered the matter of Dana Gaines and remanded the matter back to the Committee of Credentials.

**3G: Report of Appeals and Waivers Committee**

Commissioner Rasul reported the following:

The meeting of the Appeals and Waivers Committee was called to order at approximately 3:52 p.m., Tuesday, November 30, 2004.

**A&W-2A – Minutes of the September 30, 2004 Meeting of the Appeals and Waivers Committee – (Action)**

It was moved, seconded, and carried (Littman/Rasul) that the minutes of the Appeals and Waivers Committee meeting of September 30, 2004, be approved.

**A&W-2B – Waivers: Consent Calendar – (Action)**

It was moved, seconded, and carried (Johnson/Littman) that the Committee approve the 553 waiver requests on the Consent Calendar.

**A&W-2C – Waivers: Conditions Calendar – (Action)**

It was moved, seconded, and carried (Johnson/Littman) that the Committee approve 16 waiver requests on the Conditions Calendar with specific conditions attached. The Commission recommends the following action on the individual waiver request listed below:

#1 APPROVE: The waiver request, Single Subject Teaching Credential, in Music submitted by San Ramon Valley Unified School District for Joseph Lim with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#2 APPROVE: The waiver request, Designated Subjects Adult Education Teaching Credential (Part-Time), in English as a Second Language, Elementary and Secondary Basic Skills submitted by Glenn County for Gloria Irwin with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#3 APPROVE: The waiver request, Single Subject Teaching Credential, in Music submitted by Paramount Unified School District for Angel Carmona, Jr. with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#4 APPROVE: The waiver request, Single Subject Teaching Credential, in English submitted by Riverside Unified School District for Sean Kelley with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#5 APPROVE: The waiver request, Single Subject Teaching Credential, in Music submitted by Victor Valley Union High School District for Thomas Dingeldein with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#6 APPROVE: The waiver request, Single Subject Teaching Credential, in Foreign Language French submitted by Palo Alto Unified School District for Katia Saade with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#7 APPROVE: The waiver request, Single Subject Teaching Credential, in English submitted by Pacific Collegiate School (Charter) for Sherri Helvie with the condition the applicant must take

the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#8 APPROVE: The waiver request, Single Subject Teaching Credential, in Social Science submitted by Pacific Collegiate School (Charter) for Michael Hudson with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#9 APPROVE: The waiver request, Single Subject Teaching Credential, in Music submitted by Pacific Collegiate School (Charter) for Scott Nordgren with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#10 APPROVE: The waiver request, Single Subject Teaching Credential, in Health Science submitted by Tulare County for Deena Wolfe with the condition the applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver. (Johnson/Littman).

#11 APPROVE: The waiver request, Pupil Personnel Services Credential, in School Counseling submitted by San Ramon Valley Unified School District for Joseph Lim with the condition no subsequent waiver will be considered. (Johnson/Littman).

#12 APPROVE: The waiver request, Pupil Personnel Services Credential, in School Psychology submitted by Manteca Unified School District for Colette Knief with the condition no subsequent waiver will be considered. (Johnson/Littman).

#13 APPROVE: The waiver request, Pupil Personnel Services Credential, in School Counseling submitted by Fall River Joint Unified School District for Margaret Theresa Snelling with the condition no subsequent waiver will be considered (Johnson/Littman).

#14 APPROVE: The waiver request, Administrative Services Credential, submitted by Hamilton Union Elementary School District for Hector Gonzalez with the condition no subsequent waiver will be considered. (Johnson/Littman).

#15 APPROVE: The waiver request, Administrative Services Credential, submitted by Sierra Sands Unified School District for Clay Emery with the condition no subsequent waiver will be considered. (Johnson/Littman).

#16 APPROVE: The waiver request, Administrative Services, submitted by San Mateo County for Bridget Taylor with the condition no subsequent waiver will be considered. (Johnson/Littman).

#17 APPROVE: The waiver request, Single Subject Teaching Credential, in Foreign language Spanish submitted by Napa Valley Unified School District for Natalie Comstock with the condition no subsequent waiver will be considered. (Johnson/Littman).

**A&W-2D – Waivers: Denial Calendar – (Action)**

It was moved, seconded, and carried (Johnson/Littman) to recommend preliminary denial of the 6 Waiver Requests on the Denial Calendar. These waiver requests will be brought to the Commission for action at the January/February 2005 meeting.

**ADJOURNMENT**

The meeting of the Appeals and Waivers Committee was adjourned at approximately 3:57 p.m., Tuesday November 30, 2004.

**3H: New Business**

**Quarterly Agenda:** The quarterly agenda for January/February, March and April 2005 was provided as an information item.

**Commission Member Reports:** Commissioner Rasul thanked the Commission and staff for the valuable experience he has gained by serving on the Commission. Chair Madkins thanked Commissioner Bustillos who has accepted the invitation to serve on the Appeals and Waivers Committee. During the transition, Superintendent Designee Littman will be chairing the committee at the next meeting.

**Audience Presentations: Karen Cancino of the California Association of School Social Workers,** asked for the Commission's help in alerting districts that they may hire credentialed school social workers as part of the pupil personnel services team. She said that an advisory put out in 1999 should be updated with new notifications to districts, but that Commission staff has been uncooperative. She asked that her organization be able to provide a generic school social work job description that the Commission could approve and then distribute.

Mr. Janssen said that districts make assignments based on a manual that is available on the CTC web site; within that manual, the job authorizations are clearly outlined. He said it is not within the Commission's purview to approve or disseminate job descriptions.

Chair Madkins thanked Ms. Cancino for her testimony, said it will be looked into and that staff will get back to her, although it is possible that nothing can be done.

**ADJOURNMENT**

The meeting adjourned. The next meeting will be held on January 31 and February 1 at the California Commission on Teacher Credentialing office, 1900 Capital Avenue, Sacramento, California.